

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ELIZABETH INGE, et al.,

Plaintiffs,

v.

No. CIV 17-0221 SMV/CG

COVENANT MEDICAL GROUP,

Defendant.

**STIPULATED ORDER TO ALLOW THE RELEASE OF
CHILDREN YOUTH AND FAMILY DEPARTMENT RECORDS**

THIS MATTER is before the Court on Defendant's *Unopposed Motion for Order Allowing Children, Youth, and Family Services to Release Records* (Doc. 13), filed June 5, 2017. In the motion, Defendant asks the Court to enter this order to allow the disclosure of records of the New Mexico Children Youth and Family Department ("CYFD") concerning the child(ren) of Johnny Inge, and/or Elizabeth Inge. The Court, having read the motion, noting that it is not opposed by counsel for Plaintiffs or by counsel for CYFD, and being advised that such production will include certain information that is private and confidential, finds that the disclosure of these records to the parties is appropriate based on the claims and defenses of the parties in the current action. In addition, the disclosure of these records is appropriate and in accord with N.M.S.A. 1978 § 32A-4-33(B)(19).

IT IS THEREFORE ORDERED that:

1. Within sixty (60) days of receipt of this Order, CYFD shall:
 - a. Deliver to Carla Williams, Esq., care of Atwood, Malone, Turner & Sabin P.A., 400 N. Pennsylvania Ave., Suite 1100, Roswell, NM 88201, all documents,

records, and information in its possession, custody, or control concerning the child(ren) of Johnny Inge, and/or Elizabeth Inge, including, but not limited to social records, diagnostic evaluations, psychiatric or psychological reports, videotapes, transcripts and audio recordings, juvenile probation records, and records from the juvenile justice division for an *in camera* review; or

b. File written objections to the release of such records;

2. The materials provided by CYFD shall be deemed confidential and shall be disclosed only to the parties (or their officers, employees or agents to whom it is necessary that such information be shown in the preparation of trial of this action), attorneys for named parties in this action (including their employees), and outside expert witnesses and consultants employed by the parties or their attorneys for this action. All such persons shall use such Confidential Material solely in the preparation for or at the trial of this action and for no other purpose. All records obtained from CYFD must be destroyed or returned to CYFD at the conclusion of this litigation;

3. Defendant will pay the costs incurred by CYFD in copying and providing the requested documents to Carla Williams; and

4. Defendant, at its expense, will copy and provide the requested documents to Plaintiff's counsel within five (5) business days of receipt of the documents from CYFD.



THE HONORABLE CARMEN E. GARZA
UNITED STATES MAGISTRATE JUDGE